

**CITY OF DANA POINT  
PLANNING COMMISSION  
REGULAR MEETING ACTION MINUTES**

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November 28, 2022  
6:00 pm – 6:38 pm

City Hall Offices  
Council Chamber (#210)  
33282 Golden Lantern  
Dana Point, CA 92629

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**CALL TO ORDER REGULAR MEETING**

**Chair Gabbard** called the Regular Meeting of the Dana Point Planning Commission to order at 6:00 pm.

**PLEDGE OF ALLEGIANCE**

**John Gabbard** (Chair) led the Pledge of Allegiance.

**ROLL CALL**

Planning Commission Members Present: Chair John Gabbard, Vice-Chair Ashok Dhingra, Commissioner Roy Dohner, Commissioner Mary Opel, and Commissioner Eric Nelson

Planning Commission Members Absent: None

Staff Present: Brenda Wisneski (Director of Community Development), Patrick Muñoz (City Attorney), John Ciampa (Senior Planner), and Vanessa Rivera (Senior Administrative Assistant)

**ITEM 1: Reorganization of the Planning Commission**

- A) Select nominations and vote for Chair
- B) Select nominations and vote for Vice-Chair

**Brenda Wisneski** (Director of Community Development) stated Item 1 is to be pulled from the Agenda, continued to a future Planning Commission Hearing and no action was required of the Planning Commission.

**ITEM 2: Minutes of the Regular Planning Commission Meeting October 24, 2022**

**ACTION:** Motion made by Vice-Chair Dhingra, seconded by Commissioner Nelson, to approve the Minutes of the Regular Planning Commission Meeting of October 24, 2022. Motion carried 5-0-0.

**AYES:** Gabbard, Dhingra, Opel, Nelson, Dohner  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

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**B. PUBLIC COMMENTS**

There were no Public Comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

**D. PUBLIC HEARING**

**ITEM 3: Conditional Use Permit CUP22-0013 and Minor Site Development Permit SDP22-0021(M) to allow an addition greater than ten (10) percent to the second story of a duplex dwelling that is legal nonconforming as to use, front yard setback, and parking in the Residential Multi-Family 14 (RMF 14) Zoning District, located at 33802 Diana Drive.**

Applicant: Warren Hutcherson

Location: 33802 Diana Drive (APN: 682-111-33)

Request: A request to allow a greater than ten (10) percent addition to the second story of a duplex dwelling that is legal nonconforming as to use, front yard setback, and required parking standards in the Residential Multi-Family 14 (RMF 14) Zoning District.

Recommendation: That the Planning Commission adopt the draft Resolution approving Conditional Use Permit CUP22-0013 and Minor Site Development Permit SDP22-0021(M).

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be Categorically Exempt per Section 15301(e) (Class 1 – Existing Facilities) since the project consists of an addition to an existing structure that will not increase the existing floor area of the structure by more than 50 percent.

**John Ciampa** (Senior Planner) provided a staff report and answered questions from the Commissioners.

**PUBLIC COMMENTS**

**John R. Schlup** (Property Owner) provided clarification on the project and thanked the Planning Commissioners and Staff for their work.

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**ACTION:** Motion made by Commissioner Dohner, seconded by Commissioner Opel, to approve Conditional Use Permit CUP22-0013 and Minor Site Development Permit SDP22-0021(M) to allow an addition greater than ten (10) percent to the second story of a duplex dwelling that is legal nonconforming as to use, front yard setback, and parking in the Residential Multi-Family 14 (RMF 14) Zoning District, located at 33802 Diana Drive. Motion carried 5-0-0.

**AYES:** Gabbard, Dhingra, Opel, Nelson, Dohner  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**ITEM 4:** Site Development Permit SDP22-0034 approving the construction of a 419 square foot attached one bed, one bath, single-story accessory dwelling unit (ADU) located on a lot containing an existing single-story single-family dwelling with an attached non-conforming two-car garage, located at 26765 Calle Maria.

Applicant: Rosemary Sweeney

Location: 26765 Calle Maria (APN: 123-243-04)

Request: A request to permit the construction of an attached one bed, one bath, single-story ADU located on a lot containing an existing single-story single-family dwelling with a non-conforming attached two-car garage.

Recommendation: That the Planning Commission adopt the draft Resolution approving Site Development Permit SDP22-0034.

Environmental: Pursuant to the California Environmental Quality Act (CEQA), the project is found to be categorically exempt per Section 15301(e) as the project proposes to construct an attached ADU in a residential zone.

**John Ciampa** (Senior Planner) provided a staff report and answered questions from the Commissioners.

**PUBLIC COMMENTS**

There were no Public Comments.

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**ACTION:** Motion made by Commissioner Nelson, seconded by Vice-Chair Dhingra, to approve Site Development Permit SDP22-0034 approving the construction of a 419 square foot attached one bed, one bath, single-story accessory dwelling unit (ADU) located on a lot containing an existing single-story single-family dwelling with an attached non-conforming two-car garage, located at 26765 Calle Maria. Motion carried 5-0-0.

**AYES:** Gabbard, Dhingra, Opel, Nelson, Dohner  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**ITEM 5:** Coastal Development Permit CDP22-0027 to allow additions totaling 670 square feet to an existing single-story, single-family dwelling, located at 138 Monarch Bay.

Applicant: Jason Richart

Location: 138 Monarch Bay (APN: 670-121-07)

Request: A request to allow additions to an existing single-story, single-family dwelling (SFD), totaling 670 square feet to various areas of the existing structure including the master bedroom, living room, kitchen, and enclosing the existing courtyard.

Recommendation: That the Planning Commission adopt the draft Resolution approving Coastal Development Permit CDP22-0027.

Environmental: This project is categorically exempt (Class 1 - Section 15301(e)(1) – Existing Facilities) from the provisions of the California Environmental Quality Act (CEQA) since the project involves additions to an existing structure that will not result in an increase of more than 50 percent of the floor area before the addition.

**Brenda Wisneski** (Director of Community Development) provided a staff report and answered questions from the Commissioners.

**PUBLIC COMMENTS**

There were no Public Comments.

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**ACTION:** Motion made by Vice-Chair Dhingra, seconded by Commissioner Opel, to approve Coastal Development Permit CDP22-0027 to allow additions totaling 670 square feet to an existing single-story, single-family dwelling, located at 138 Monarch Bay. Motion carried 5-0-0.

**AYES:** Gabbard, Dhingra, Opel, Nelson, Dohner  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**ITEM 6:** Coastal Development Permit CDP21-0010 to demolish a single-family dwelling and attached garage and construct a single-family dwelling with an attached garage and associated exterior improvements within the Coastal Overlay District, located at 430 Monarch Bay.

Applicant: Ali Samsami, Architect (C. J. Light Associates)

Location: 430 Monarch Bay (APN: 670-151-27)

Request: A request to demolish a two-story, split-level, single-family dwelling (SFD) and attached garage and construct a 2,726 square-foot, two-story, split-level SFD with attached garage and associated exterior improvements including walls, landscape, hardscape, and a spa.

Recommendation: That the Planning Commission adopt the draft Resolution approving Coastal Development Permit CDP21-0010.

Environmental: This project is categorically exempt (Class 3 - Section 15303(a) – New Construction or Conversion of Small Structures) from the provisions of the California Environmental Quality Act (CEQA) since the project involves the construction of a single-family residence in a residential zone.

**Brenda Wisneski** (Director of Community Development) provided a staff report and answered questions from the Commissioners.

**John Gabbard** (Chair) shared, for disclosure purposes, that his property is within one thousand feet of the project and received noticed for the project.

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**PUBLIC COMMENTS**

There were no Public Comments.

**ACTION:** Motion made by Commissioner Nelson, seconded by Commissioner Dohner, to approve Coastal Development Permit CDP21-0010 to demolish a single-family dwelling and attached garage and construct a single-family dwelling with an attached garage and associated exterior improvements within the Coastal Overlay District, located at 430 Monarch Bay. Motion carried 5-0-0.

**AYES:** Gabbard, Dhingra, Opel, Nelson, Dohner  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**E. OLD BUSINESS**

There was no Old Business.

**F. NEW BUSINESS**

There was no New Business.

**G. STAFF REPORTS**

**Brenda Wisneski** (Director of Community Development) stated the Short-Term Rental Program (STRP) was approved by the California Coastal Commission on November 16, 2022, and Staff would be working on implementing the program in February or March 2023.

**John Gabbard** (Chair) requested an update on the 8 Breaker Isle Project.

**John Ciampa** (Senior Planner) informed the Planning Commissioners that the appeal period ends with the California Coastal Commission on Wednesday, November 30, 2022, and the formal determination will follow. There is no knowledge of any public appeals.

**Brenda Wisneski** (Director of Community Development) formally recognized Chair Gabbard's service as a Planning Commissioner with a plaque commemorating his service on the Planning Commission. She thanked him for his service and looks forward to continuing working with him as a Councilmember.

**John Gabbard** (Chair) accepted the plaque and expressed his gratitude to his fellow Commissioners and Staff on welcoming him to the Commission. It was an honor and joy to serve his community as a Planning Commissioner.

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**H. COMMISSIONER COMMENTS**

**Commissioner Nelson** congratulated Chair Gabbard and looks forward to his future on City Council.

**Commissioner Opel** echoed Commission Nelson's comments wished Chair Gabbard good luck.

**Vice-Chair Dhingra** congratulated and thanked Chair Gabbard on his service and future with City Council.

**I. ADJOURNMENT**

**Chair Gabbard** adjourned the meeting at 6:38 pm. The *next* Regular Meeting of the Planning Commission will be held on Monday, December 12, 2022, in the City Council Chambers, located at 33282 Golden Lantern, Suite 210, Dana Point, California.

  
Ashok Dhingra, Planning Commission Chair